Reflections

UPON THE

NEW TEST,

AND

The REPLY Thereto

WITH A

LETTER

OF

Sir *FRANCIS WALSINGHAM's*,

Concerning the

PENAL LAWS

Made in the REIGN of

Queen *ELIZABETH.*

LONDON:

Printed in the Year MDCLXXXVII.

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THE design of the Test is to attack the Church of *England*'s Loyalty, and the substance of it is, That she owns the King Supream Head in Ecclesiastical Affairs, that she began under *Ed.* 6. and at his Death indeavour'd to set up a Brat of her own, and exclude Queen *Mary* the only Legitimate, because she was a Catholick; after her Death Queen *Elizabeth*, a known Bastard, rais'd this Church again to support the weakness of her Title, and no sooner was this Church under her re-establish'd, than those Cannibal Laws were Enacted of Hanging the Priests of the living God, together with other penal Laws; that she Murder'd the Queen of *Scots*, who was the undoubted Heir to the Crown, that to *Charles* I. this Church was faithful, but on the other hand, to force an Universal Uniformity to her Liturgy, *&c.* was the occasion of that War, and she now refuses to repeal the Test, and penal Laws; that the King will no longer trust her, and that she should learn obedience from her Catholick Neighbours. Thus far the Test.

To this is reply'd, That the Church of *England* does own the Kings Supremacy; and therefore thinks her self more Loyal than the Romanists, who rob the King of that part of his Prerogative, that after *Ed.* 6. Death, the Kingdom was divided about the Title to the Crown; some for Queen *Mary*, some for Lady *Jane*, and Protestants on both sides, and while the Title was to them dubious, neither party could be charged with Disloyalty: That if Queen *Eliz.* was a known Bastard, the Romanists were the disloyal Party in setting her upon the Throne, and excluding the lawful Heir, which they did by a Popish Parliament, sitting at Queen *Mary*'s Death, so that it appeared by their own Parliament, that *Mary* Queen of *Scots* was not lawful Heir, and therefore it could be no disloyalty in Executing her for Treason. That 'twas not the Church of *Englands* Ambition from whence that War in *Charles* I. time ensued, but from the division the Romanists had wickedly made amongst Protestants, by one call'd *Faithful Commin*, and others of the Fraternity; then the Author recriminates, shews it to be the declared opinion of the Church of *Rome*, that she has power to Depose Princes, and gives several instances where very often they have put that opinion into practice. Thus far the Replyer.

The Replyer, though he has sufficiently answer'd the Pamphlet; yet since Loyalty is almost the onely thing, which at this time recommends us to our Princes's Favour; he might, and ought to have given a more ample account of our Fidelity to Princes: I shall now therefore take both the *Test* and the *Reply* into particular Examination, and shew the defects of both.

But first, I would willingly know, what prospect the Author of the Test could have by publishing such a Pamphlet? Was it to oblige his Party by drawing

us out to expose both their Principles and Practices in point of Civil Obedience? which may be with as great ease justly done, as we can thro off this malitious and false charge of his; or was it to oblige the King by blowing up these Fears and Jealousies, which his Majesty, a gracious Father of his Country, has us'd means to allay: His Majesty tells us we are Loyal, and assures us of his Protection, the Test tells us, we are Snakes in his Bosom, and the King will not protect us: for my part, let this Fellow stare and brazen as he pleases, I shall believe the King, whatever he would have us think of him.

When so heavy a charge was laid upon our Church, methinks in reason the Author should have shew'd the World what Convocation, or at least what private Doctor of our Communion ever acknowledg'd it as a Principle of our Church, that disobedience to the supream Magistrate, was upon any score whatsoever allowable, that is, that we might refuse both active and passive obedience: for else, admit he could instance, that some of our Communion have acted Disloyally, it proves no more, than that some who have in outward appearance profess'd themselves to be with us, were not really so, nor did keep up to the Principles of our Church. What's more common than to see a Romanist drunk upon a Fasting Day, but unless I hear them justifie the thing as allowable, shall I reason from their bare practice, that their Church allows Debauchery upon those dayes she has pointed out for Mortification. Wherefore the Tests absolute silence herein demonstrates, either that he is a great Dunce at Argument, or that there is no such thing to be found in our Principles, no, not from the Testimony of any single Doctor. And of this defect the Replyer takes no notice.

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The Members of the Church of *England*, says the *Test*, were faithful to *Charles* I. but on the other hand their ambition to force Uniformity, &c. was cause of the ensuing War. He means, if to the purpose, That an ambition to force an Uniformity in Religion, is Disloyalty; which is a most admirable Discovery! especially since the Church of *Rome* can so easily clear her self from the guilt of that Ambition. If what he alledgeth were true, his Reprehension is just like an old Drunkard in a drunken Fit railing against Drunkenness. But the Replyer has shew'd him a more probable and natural cause of that War, and has well refer'd to that Book of Foxes and Fire-brands, which will give a reasonable Enquirer full satisfaction; and further, from thence well observes what excellent Subjects Romanists make to Protestant Kings. We are not now to be surpriz'd with their *Tests*, and such-like Pamphlets; we are sensible the glorious Lustre of the Church of *England* does so offend and dazle their weak Eyes, that it must be darken'd, though the Fog be rais'd from Hell; and therefore thus goes on the *Test*: After *Edward* the Sixth's death, Protestants endeavour'd to set up a Brat of their own to exclude Queen *Mary*, because she was a Catholick, at whose death Queen *Elizabeth* raised this Church to support the weakness of her Title; and then they Murther'd the Queen of *Scots*, who was the undoubted Heir to the Crown.

A Brat to exclude Queen Mary, *because a Catholick*: Nay, we were more wicked than this; for we set this Brat up too, to exclude Queen *Elizabeth*, because she was a Protestant; for in excluding one, we excluded both. And if we thought we had power to pull down, and put up, as the Popes assume, why did we not as well put up *Elizabeth*, as Lady *Jane*? The *Index Expurgatorius* has not yet done the honour of

a Visit to our Modern Histories, and therefore in them we find, that by a Cabal onely of some of King *Edward's* Council, he was prevail'd upon by his last Will, and Letters-Patents, to settle the Crown upon the Lady *Jane*. This by the Procurers of the Settlement, was declared to the People, and she was proclaimed Queen. Queen *Mary* also she puts up her Title. Upon this the Kingdom was in a general distraction; but the greatest part of Protestants were with Queen *Mary*, and 'twas through their means she ever reach'd the Throne. But I shall forbear mentioning how nobly she rewarded their Services; 'tis enough to my purpose, to prove they were Protestants, and that they were so, is clear, because the Protestant Party were so considerable in the Kingdom at that time, that they might have carried whatsoever Interest they had espoused: But it appears further by the Queens promise at that time to her Army, which was, That she would never alter the Religion establish'd by *Edward* the Sixth; and 'twas very likely she should think to engage a Popish Army by a Promise never to alter the Protestant Religion. This then is the truth of the Case: The Lady *Jane* was put up by a small designing Party, who had got several ignorant people to believe that the deceased King had made her a good Title; but the body of Protestants were faithful to Queen *Mary*, and fore'd her way to the Crown. To whom succeeded Queen *Elizabeth*, whom this modest Gentleman honours with the Title of *Known Bastard*. If it be so, yet these things fall out a little unhappily: for the Protestants set up the Legitimate Queen *Mary*; and as the Replyer truly observes, *The Members of a Popish Parliament, setting at Queen* Mary's *death, were the first that mov'd in proclaiming the Known Bastard Queen* Eliz. Thus 'tis taking it for

granted what he affirms; but now for truth: By regular proceedings in this Kingdom, *Katherine* Mother of Queen *Mary*, and *Hen.* 8. were divorc'd *à vinculo Matrimonii*, then he takes to Wife *Ann B.* of whom is born *Q. Eliz.* This Divorce was just, or not; if just, there's no question of *Q. Eliz.* Legitimation; if not just, it must be either because there is no Power in this Kingdom to determine in such cases, or that in this they had not justly determin'd. If these cases are not determinable here, they must be determined by a Forreign Jurisdiction, or no-where; and to Appeal to a Forreign Jurisdiction, in any case, is a *Præmunire*, by a Statute made in Popish times. That they made a just Determination, they have the warrant of most of the Universities beyond Sea, for whose Opinions *H.* 8. sent; and the perpetual standing Law of the Nation, which in this case was always judg'd to be grounded upon the Law of God: for which, see *Harrison* and Dr. *Burnwell's* use in Lord *Vaughan's* Reports. Now let the Reader judge: But why should we be forc'd to dispute this matter, when by Act of Parliament *tricesf. quin. H.*8. 'tis setled that both *Mary* and *Elizabeth* shall inherit? What more then had we to do, but to pay our Obedience to our Law-makers? which I hope will something excuse us, if 'twere true, as 'tis not, that *Mary* Queen of *Scots*, before that Act, had right to be Successour to our Queen *Mary*: But the *Test* will have the Queen of *Scots* Title preferable; yet has not so much as indeavoured to give us a reason for that opinion: To this his Magisterial Affirmation we oppose; first, The Arguments already offered for Queen *Elizabeth's* Legitimation: Secondly, The Act of Parliament, just before mentioned: Thirdly, As the Replyer has urg'd, the unanimous Opinion of a Popish Parliament, sitting at Queen *Mary's* Death;

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and indeed he might have said, the unanimous consent of the whole Nation? For I defie this *Test Writer* to produce, one that publickly dissented to proclaim Queen *Elizabeth*: So universally then was her Title allow'd, and her Person esteemed. I have yet this further reason, That at Queen *Mary*'s Death, the Queen of *Scots* did not so much as put in any Claim to the Crown; but on the contrary, in the first of Queen *Elizabeth*'s Reign, there was a very indearing, and Sisterly Correspondence between the two Queens, every Week Letters of Kindness, and Civility passed, which was very unlike the carriage of Competitours for a Crown; of the truth of this, any one will be satisfied, that so much as looks into the Memoires of Sir *James Melvill*, the Queen of *Scots* great Minister.

But if after all this, you will have it that this Queen did pretend to the Crown; then you have given a very good reason for her Execution; if she did not, then certainly 'twas possible for her to be guilty of Crimes deserving Death: Wherefore, if we are chargable for that Action, 'tis our Justice, not our Loyalty, must receive the blemish: But to excuse our selves herein, let it be considered, That when the Queen of *Scots* was forc'd by her own Subjects, to fly to *England* for Protection, she was received by Queen *Elizabeth*, and her Council, with intention to restore her to her Crown, and Country, as is evident by two Papers; one is the Advice Sir *Henry Mildmay* gave about it; the other, a Letter of the Earl of *Leicester*'s to the Earl of *Sussex*; both which may be seen copy'd immediately from the Originals in Dr. *Burnet*'s Hist. *Reformation*. And it can't be suppos'd, that 'twas for nothing that our Queen's intentions received this turn: The Queen of *Scots* officious Friends had a great mind to see an end of *Elizabeth*'s Reign, nor did they leave any thing unat-

tempted to effect it, either by ſecret Attempts, or publick Rebellions; the Queen ſuſpected from whence all this came, and at laſt was ſatisfied, when ſhe found the Queen of *Scots* own hand to a Letter wrote to *Babington* and *Ballard* about their Plot; and then our Queen thought 'twas high time, both for the ſafety of her ſelf, & the Kingdom, to bring the Queen of *Scots* to her Tryal, upon which ſhe was found guilty of Treaſon.

I ſhall now ſum up this matter. Under *Edward* you ſay we firſt began, during whoſe Reign you have nothing to ſay, as to the point of Loyalty, againſt us: and I have fully prov'd we brought Queen *Mary* his Succeſſor to the Throne. To her Succeſſour Queen *Eliz.* you your ſelf own we were a Prop, and we did indeed help to defeat the diſloyal attempts of Romaniſts againſt her. I have proved that *Mary* Queen of *Scots* was not deprived of any preſent Right, and of a future Right ſhe might be deprived, without any Act of Diſloyalty. Under King *James*, *Elizabeth*'s Succeſſour, the *Teſt* does not ſo much as affirm we were diſloyal: To King *Charles* the Firſt, King *James*'s Succeſſour, our Author acknowledges we were faithful in all his Troubles: Nor does he in the leaſt blame us in *Charles* the Second's time. Thus, without the leaſt appearance of Diſloyalty, have we brought our ſelves to this preſent King, who has ſeen our forwardneſs to be as Loyal to him as to his Predeceſſours: 'Tis well known what ſort of a Lower Houſe that was which brought in the Bill of Excluſion; but when it came to the Lords Houſe, (from whence the Popiſh Lords were excluded) they ſhew'd their Fidelity by throwing it out. How readily, at *Monmouth*'s appearance did the Parliament proteſt to ſtand by the King, and how freely did divers Proteſtant Gentlemen venture themſelves in the Kings Cauſe, and this

this they must always upon occasion do. If they measure their actions either by the Principles, or Practices of our Church.

Our Author therefore is a great Friend to the King, in calling us to learn of our Catholick Neighbours, which is to debauch this good Principle, and I shall expose to the World some of the Lessons they would teach us: at our entrance we must learn that Ecclesiastical Jurisdiction (which is a glorious part of the Kings Prerogative) belongs to the Pope; so strongly does the *Test* fancy, that their Church of right assumes this Power; that he ridicules the contrary Opinion, as a particular Revelation to the Church of *England*. In answer to this, the Replyer has well referr'd to Dr. *Barrow*, and Lord *Cook*, but because some may not have these Books, I shall give one or two plain instances: *Greg.* 1. 15. Ep. 11. 56. doth alledge divers Laws of divers Emperours, concerning Ecclesiastical affairs, as obligatory Rules of practice; and divers Laws concerning things Ecclesiastical, made by the Emperour, are extant in the Codes of *Theodosius* and *Justinian*. The Christian Emperours took upon them to depose Bishops and Popes, (tho since the Popes are even with them) *Constantius* banish'd Pope *Liberius*, and put another in his room: *Otho* put out *John* the Twelfth, *Justinian* deposed Pope *Silverius*, and banish'd Pope *Vigilius*; and the same Emperour prescrib'd Conditions and Qualifications concerning the Ordination of Bishops; and subjoyns, *Si quis autem citra memoratam observationem Episcopus ordinetur, jubemus hunc omnibus modis Episcopatu depelli. Justin. Novel.* 123. *Ca.* 1. *But if any Bishop be Ordain'd without using our forementioned constitution, we Command, that by all means he be remov'd from his Bishoprick. Omnes*, sayes *Leo* 1. to *Theodocius* the Emperour,

Partiam

Partium Ecclesiæ nostrarum, omnes mansuetudini vestræ cum gemitibus & Lacrymis supplicant Sacerdotes, ut generalem Synodum jubeatis intra Italiam celebrari: Leo 1. Ep. 42. nor was this power usurp'd by the Emperours, as sometimes loyal Catholicks pretend. No, quite contrary, *Semper fuit Orthodoxis, & piis Imperatoribus, &c.* This is what the Pious and Orthodox Emperours did. *Justin in Syn. 5. Collat. 1. p. 209.* but what's yet higher, *Hæc* (says the Councel of *Arles*) *Domino Imperatori præsentanda decrevimus, poscentes ejus Clementiam ut si quid hic minus est, ejus prudentiâ Suppleatur, si quid secus quàm se ratio habet, ejus judicio emendetur; si quid rationabiliter taxatum est, ejus adjutario divinâ opitulante Clementiâ perficiatur.* Councel. Arel. 4. ca. 26. Ann. 813. *Sub Carolo M. These things we have Decreed to be presented to our Lord the Emperour, desiring his Clemency, that if any thing be defective, it may be supplied by his Prudence; if any thing be unreasonable, it may be corrected by his Judgement; if any thing be reasonably ordered, it may, by his help, the Divine Grace assisting, be Perfected.* So that it seems notwithstanding the blustering the Popes make now, it was a revelation to all the Churches of the World in the first Ages, that the Ecclesiastical Jurisdiction was in the Temporal Magistrate. This also have Papist Kings and their Lay-Subjects justified in *England. Xenulphus* by his Letters Patents, did grant to Abbot *Ruchin*, *Quod prædictus Ruchinus, &c. That the said* Ruchin *should for ever be free from all Episcopal Jurisdiction whatsoever.* This was pretty well for a Temporal Prince without Ecclesiastical Power; and to demonstrate that he was not singular in assuming this Power, this Charter was confirmed by King *Edwin*, and pleaded the 1 *H.* 7. and allowed and continued till the dissolution of that Abby in *H.* 8. When *H.* 1. found-

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ed the Abby of *Reading*, the Charter run thus: *Henricus Dei, &c. Statuimus ram Ecclesiasticæ quam Regiæ prospectu potestatis, ut, &c.* We appoint as well by our Ecclesiastical as Temporal Power, *&c.* In the 25 *Ed.* 1. by a Parliament held at *Carlisle*, it is declared, That the Holy Church of *England* was founded in the State of Prelacy by the King, and his Progenitors, the Popes Usurpations complained on; and enacted they should not be suffered. By a Statute made 16 *R.* 2. *ca.* 5. It is declared, That the Crown of *England* is Subject to none but God. Of this opinion was *Bracton*, who wrote in *H.* 3d's time, *Omnes*, says he, *quidem sub Rege & ipse sub nullo, sed tantum sub Deo. Lib.* 1. *ca* 8. *nu.* 5. *Every one owes Obedience to the King, but he to none but* GOD. I must give one instance more, if it be only to shew the nature of a Begotted Papist. *Ed.* 3. much concern'd, that his Subjects would deprive him of his right by Appeals to *Rome*, by a Statute it was made a *Præmunire*, the hearty Begots did so rail and curse at the Executors of that Law, that the Kingdom was obliged to make a Statute on purpose to prevent such defamations. But when after many struglings the Popes did begin to finger this Jurisdiction, as if poyson'd with their touch, it immediately swells to such a prodigious magnitude, as quite to over shadow, and crush all other Powers; now 'tis *Hinc inum*, *&c.* Pope *Pius* the Fifth, in his Bull that Excommunicates Queen *Elizabeth*, *Him alone* (says he, meaning himself) *be made Prince over all People, and all Kingdoms, to pluck up, destroy, scatter, consume, plant and build*, &c. So that Temporal Princes are but as so many Pagents to be set up, and pull'd down as the infallible Head shall see cause; and an Emperour is no more to a Pope now, than a Pope was to an Emperour heretofore: To prove this, the Replyer has given several very true examples

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amples to which I shall add, That in King *John's* time, the Loyal Popish Barons were in open Rebellion: The Pope instead of using his pretended Authority to reduce them to their Allegiance, he takes advantage of the King's necessities, and will by no means permit him to nominate a Successour to the deceased Archbishop of *Canterbury*; but for so doing the King was Excommunicated; this with the King of *France* his appearing in the Pope's defence, incouraged the Barons to continue in their Rebellion, and to calumniate their King with the most approbrious language, as Infidel, &c. that no King ever indured the like; finding himself on all hands thus oppress'd, his submission to the Pope was absolutely necessary, and therefore now tenders him his Crown, which the Pope by his Legate received: upon this (and all but reason) the King is Absolved, but still the lusty Barons refuse their duty, till the King had ratified their Priviledges, &c. which he was forc'd upon his Oath to agree to. But the King being now a good Child of the Church, is discharged by the Pope from these condescentions to the Barons, the whole compact is declared Null, the King's Oath Dispens'd with, and the Barons Excommunicated till they submitted to the Sentence. This is something like, to whip and stroke them by turns! Thus the Heaven Door is open'd and shut in a breath, that no man alive can be sure whether he shall go in or out.

When Queen *Elizabeth* came to this Crown, Sir *Edward Karn* was by her direction to inform the Pope thereof, who made this humble and obliging return, *That* England *was held in fee of the Apostolick See, that she could not succeed being illegitimate, nor could he contradict the Declarations made in that matter by his Predecessors*, Clement *the Seventh and* Paul *the Third: He said it was great boldness in her to assume to the Crown without his consent*

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yet if she would renounce her Protestant, and refer herself wholly to him, he would shew a fatherly affection to her, and do every thing for her that could consist with the Dignity of Apostolick Sees, so far that Servus Servorum. In this haughty speech 'tis not so much the Queen's Illegitimation is complain'd on, as her great boldness to assume the Crown without consent of his Holiness: for if she will at last submit, here's great hopes for her, notwithstanding her Illegitimation. But his Successor *Pius* IV. leaves her in no manner of doubt. He sent one *Parpalia* to her to promise, that if she would join her self to the See of Rome, he would disannul the Sentence against her Mother's Marriage, &c. Hence I observe, that the Popes what e're they said, did not believe Q. *Eliz.* Illegitimate, or else what's worse, they declare that for their Temporal Interest they would make what lawful which the Law of God had made unlawful: for if Q. *Eliz.* was a Bastard, she was so, because *Hen.* the 8's Marriage with his first Wife was lawful, who was living when *Eliz.* was born of another woman; if so, nothing is plainer than that this second Marriage was against the Law of God. But 'tis all nothing, there had been no harm done, no rightful heir disseiz'd, no title of a Bastard set up, had *Eliz.* made her acknowledgments that *England* was held in fee of the Apostolick See. So speaks the Shepherd, and the sheep know his voice.

In fine, the King-deposing Doctrine is not only practised by one or two wicked Infallible Heads; but 'tis the settled Doctrine of their Church; 'tis that their *Lateran* Council, and a long Succession of Popes have declared, and that which their best men have implyed in their Pens to maintain; for which see the Bishop of *Arranda's Account Falmes.*

Whether the Test or Penal Laws ought to be abolish'd, is a subject more proper for the King and Parliament than us:

us: But when you call us Cannibals for making them, you speak like a man of sense, and ought to be considered, tho the Replier has taken but little notice of in their words are these "And they (meaning the Church of *England*) no sooner "found themselves re-established, then they Enacted those "bloody *Cannibal* Laws to hang, draw and quarter the Priests "of the living God: Imprisonment, Banishments, and Con-"fiscation of Goods were the moderate Church of *England*'s "Laws, &c. "No sooner, he says, were they re-established, "&c. Now one would think by this representation, that this Law (so abhors) was made the next hour after the Queen was proclaimed, and yet in truth, 'twas the 27 year of the Queens Reign before this Law had birth. Well, but if *Cannibals* they must be, who Enact Sanguinary Laws against those that purely dissent in matters of Religion, I know no Church deserves the honour of that title but yours: your lenity towards Heretiks (and all are Heretiks with you, that are not of your faith) is so universally known, that 'tis in vain to trouble the world with particular instances: however if you please, you may look in Qu. *Mary*'s days, look into the Bishop of *Lincoln*'s Book, and when you are looking, look into *France*: But why do I cry look here, or look there, when 'tis impossible to look amiss? However, since to recriminate is no justification, and since we hear that you pride your selves to talk of our Penal Laws, endeavouring to render us extreamly cruel, I should apply my self particularly to shew the reasons and steps of those Laws, did I not find it incomparably well done to my hands by a Letter, which 'tis great pity the whole Kingdom has not read; and tho it be long, yet there being not a sentence in it not full of weight, I will for the publick good transcribe the whole, which fully vindicates us in this point.

Sir

Sir *Fr. Walsingham*'s Letter to Monsieur *Critoy*, concerning the Queens proceedings against both *Papists* and *Puritans*.

SIR,

WHereas you desire to be advertiz'd, touching the proceedings here in Ecclesiastical Causes, because you seem to note in them some Inconstancy and Variation, as if we inclin'd sometimes to one side, and sometimes to another; and as if that Clemency and Lenity were not us'd of late, that was us'd in the beginning: All which you imputed to your own superficial Understanding of the Affairs of this State, having, notwithstanding Her Majesty's doing in singular Reverence, as the real Pledges which She hath given unto the World of her Sincerity in Religion, and of the Wisdom in Government, well meriteth.

I am glad of this occasion, to import that little I know in that Matter unto you, both for your own Satisfaction, and to the end you may make use thereof, towards any that shall not be so modestly and reasonably minded, as you are.

I find Her Majesties Proceedings to have been grounded upon two Principles.

The one, that Consciences are not to be forced, but to be won and reduced by force of Truth, with aid of time, and use of good means of Instructions and Perswasion.

The other, That Causes of Consciences, when they exceed their bounds, and grow to be matter of Faction, lose their Nature, and that Sovereign Princes ought distinctly to punish their Practices and Contempt, tho coloured with the Pretences of Conscience and Religion.

According to these Principles, Her Majesty coming to the Crown, utterly disliking the Tyranny of Rome, which had used by Terror and Rigour to settle Commandments of mens Faith and Consciences; Tho as a Princess of great Wisdom and Magnanimity, She suffered but the Exercise of one Religion; yet her Proceedings towards the Papist, was with great Lenity, expecting the good Effects which time might work in them; and therefore Her Majesty revived not the Laws made in the 28th and 35th of her Fathers Reign, whereby the Oath of Supremacy might have been offered at the Kings pleasure to any Subject, so he kept his Conscience never so modestly to himself, and the refusal to take the same Oath, without further Circumstances, was made Treason. But contrariwise, Her Majesty not liking to make Windows into Mens hearts and secret thoughts, except the abundance of them did over-flow into overt and express Acts or Affirmations, tempered Her Law so, as it restraineth every manifest Disobedience, in impugning and impeachings advisedly and maliciously, Her Majesties Supream Power, maintaining and extolling a Forreign Jurisdiction: And as for the Oath, it was altered by Her Majesty, into a more grateful Form: the hardness of the name and Appellation of Supream Head, was removed, and the Penalty of the refusal thereof, turned only to disablement to take any Promotion, or to exercise any charge, and yet of Liberty to be reinvested therein, if any man should accept thereof, during his Life. But after, when Pius Quintus *Excommunicated Her Majesty, and the Bulls of Excommunication were published in* London, *whereby Her Majesty was in a sort proscribed and that thereupon as upon a principal motive or preparative, followed the Rebellion in the* North, *yet because the ill humours of the Realm were by that Rebellion partly purged, and that she feared at that time no forreign Invasion, and much less the attempt of aim within the Realm, not back'd by some potent power and succour from with-*

without she contented her self to make a Law against that special Case of bringing in and publishing any Bulls, or the like Instruments; whereunto was added a Prohibition upon pain not of Treason, but of an inferiour degree of punishment against the bringing of the Agnus Dei's, and such other Merchandise of Rome, as are all known not to be any essential part of the Romanists Religion, but only to be used in practice, as Love-tokens, to inhant and bewitch the peoples affections, from their Allegiance to their natural Soveraign. In all other points her Majesty continued her former Lenity. But when about the Twentieth year of her Reign, she had discover'd in the King of Spain an intention to invade her Dominions; and that a principal part of the Plot was to prepare a Party within the Realm, that might adhere to the Forreiner; and that the Seminaries began to blossom, and to send forth daily Priests, and Professed men, who should by Vow taken at Shrift reconcile her Subjects from their Obedience, yea, and kind many of them to attempt against her Majesties Sacred Person; and that, by the Poison which they spread, the humours of most Papists were altered, and that they were no more Papist in Conscience, and of Softness, but Papist in Perfection. Then were there new Laws made for the punishment of such as should submit themselves to such reconcilements, or renunciation of Obedience. And because it was a Treason carried in the Clouds, and in wonderful secrecy, and come seldom to light, and that there was no presumption there of so great, as the Recusancy to come to Divine Service, because it was set down by their Decrees, that to come to Church before Reconcilation was to live in Schism, but to come to Church after reconcilement, was absolutely heretical and damnable. Therefore there were added Laws containing punishment Pecuniary, viz. such as might not enforce Consciences, but to disenable and impoverish the means of those about whom it resteth indifferent and ambiguous, whether they were reconciled or not. And

And when, notwithstanding all this prohibition, the Poison was dispersed so secretly, as that there was no means to stay it, but by restraining the Merchants that brought it in: Then Lastly, there was added a Law, whereby such seditious Priests, of new Erection, were exiled, and those that were at that time within the Land, stinted over, and so commanded to keep hence up in pain of Treason. This hath been the proceeding, the intermingled not only with sundry Examples of her Majesties Grace towards such as in her wisdom she knew to be Papists in Conscience, and not Faction and Singularity, but also with extraordinary mitigation towards the offenders in the highest Degree committed by Law, if they would but profess, that if in Case this Realm should be invaded with a Forreign Army, by the Popes authority, for the Catholick Cause, as they term it, they would take part with her Majesty, and not adhere to her Enemies.

For the other Party, which have been offensive to the State, though in another Degree, which named themselves Reformers, and we commonly call Puritans, this hath been the proceeding towards them. A great while when they inveighed against such abuses in the Church, as Pluralities, Non-residence, and the like; their Zeal was not Condemned, only their Violence was sometimes Censured. When they refused the use of some Ceremonies and Rites, as Superstitious, they were tollerated with much Connivency and Gentleness; yea, when they called in Question the Superiority of Bishops, and pretended to a Democracy in the Church; yet, their Propositions were here considered, and by contrary Writings debated and discussed; yet all this while, it was perceived that their Course was dangerous, and very popular: viz. because Papistry was odious, therefore it was ever in their Mouths, that they sought to Purge the Church from the Reliques of Papistry; a thing acceptable to the People, who have ever to run from one extream to another.

Because

Because multitudes of Rogues, and Poverty, was an Eyesore, and a dislike to every man; therefore they put into the Peoples head, that if Discipline were planted, there should be no Vagabonds nor Beggers, a thing very plausible: And in like manner they promised the People, many of the impossible wonders of their Discipline; besides, they opened to the People a way to Government, by their Consistory and Presbytery; a thing, though in consequence no less prejudicial to the Liberties of private men, than to the Soveraignty of Princes, yet in first shew very Popular. Nevertheless this, except it were some few that entred into extream contempt, was born with, because they pretended in Dutiful manner to make Propositions, and to leave it to the Providence of God, and the Authority of the Magistrate. But now of late years, when there issued from them that affirmed, the consent of the Magistrate was not to be attended; when under pretence of a Confession, to avoid Slander and Imputations, they combined themselves by Classes and Subscriptions, when they descended into that vile and base means of defacing the Government of the Church by ridiculous Pasquils; when they began to make many Subjects in doubt to take Oaths; which is one of the Fundamental parts of Justice in this Land; and in all places, when they began both to vaunt of their strength, and number of their Partizans and Followers, and to use Comminations that their Cause would prevail, tho uproar and Violence; then it appeared to be no more Zeal, no more Conscience, but meer Faction and Division: and therefore, though the State were compelled to hold somewhat a harder hand to restrain them than before, yet was it with as great moderation, as the Peace of the State or Church could permit. And therefore, Sir, to conclude, consider uprightly of these matters, and you shall see Her Majesty is no more a Temporizer in Religion: It is not the success Abroad, nor the Change of Servants here at home, can alter her; only as the things themselves alter, She applyed her Religious

Wisdom

Your loving Friend,

F. Walsingham.

FINIS.

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